

CP 2153  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Limor Schweitzer et al.

Application No.: 09/935,130

Filed: 08/21/2001

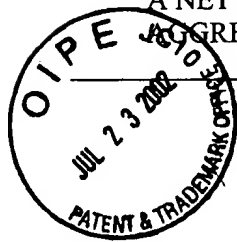
For: DATABASE MANAGEMENT AND RECOVERY IN  
A NETWORK-BASED FILTERING AND  
AGGREGATING PLATFORM

) Attorney Docket No.: XACTP014C

) Examiner: Unassigned

) Group Art Unit: 2155

) Date: July 17, 2002



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, Washington, DC 20231 on July 17, 2002.

Signed:

*Erica L. Mann*  
Erica L. Mann

Commissioner for Patents  
Washington, DC 20231

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Sir:

Please file the attached Amendment and Petition to Add to Inventor in the above-identified application.

If any required fees are missing or any additional fees are required to facilitate this request, please charge such fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. XACTP014C). A copy of this sheet is enclosed for billing purposes.

Respectfully submitted,  
Silicon Valley IP Group, LLC.

*Kevin J. Zilka*  
Kevin J. Zilka  
Registration No. 41,429

P.O. Box 721120  
San Jose, CA 95172-1120  
Telephone: (408) 971-2573

# COPY

Practitioner's Docket No. XACTP014

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: L. Schewitzer et al.

Application No.: 09/442,876

Filed: 11/18/1999

For: NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD

Group No.: 2155

Examiner: Wiley, D.

Commissioner for Patents

Washington, D.C. 20231

### AMENDMENT, PETITION AND FEE TO DELETE AND/OR ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED INVENTOR(S) IN DECLARATION--NONPROVISIONAL APPLICATION--(37 C.F.R. section 1.48(a))

1. This amendment and petition is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. section 1.48(a) as set forth and filed on May 9, 2000.

2. Addition and/or Deletion of Inventor(s)

Add the following previously unnamed person(s) as inventor(s) of this application: Tal Givoly

3. Attachments

Attached is:

(a) A statement from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. section 1.48(a)(1).

(b) A declaration by each of the actual inventor(s) as required by 37 C.F.R. section 1.63 (or as permitted by sections 1.42, 1.43, OR 1.47). 37 C.F.R. section 1.48(a)(2).

(c) Written consent of the assignee. 37 C.F.R. section 1.48(a)(4).

### CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. section 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

#### MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date:

11/26/2001

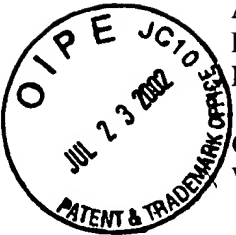
#### FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office. (703)-305-3719

*Erica L. Mann*  
Signature

Erica L. Mann  
(type or print name of person certifying)

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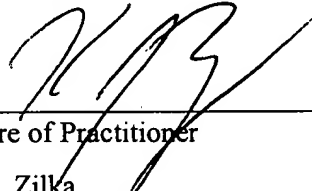


4. Fee Payment (37 C.F.R. section 1.17(i))

The fee required by 37 C.F.R. section 1.17(i) is paid as follows:

The Commissioner is Authorized to charge Deposit Account No. 50-1351 (Order No. XACTP014) for the required fee of \$130.00. The Commissioner is also authorized to charge any fee deficiency or credit any overpayment to said account.

Reg. No.: 41,429  
Tel. No.: 408-971-2573  
Customer No.: 28875



---

Signature of Practitioner

Kevin J. Zilka  
Silicon Valley IP Group  
P.O. Box 721120  
San Jose, CA 95172-1120

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: L. Schweitzer et al.

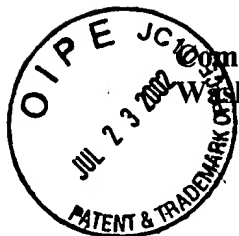
Application No.: 09/442,876

Group No.: 2155

Filed: 11/18/1999

Examiner: Wiley, D.

For: NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD

Commissioner for Patents  
Washington, D.C. 20231STATEMENT UNDER 37 C.F.R. section 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

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Technology Center 2100CERTIFICATION UNDER 37 C.F.R. § 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

- ☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner of Patents, Washington D.C. 20231  
37 CFR 1.8a
- ☐ with sufficient postage as first class mail.
- ☐ as "Express Mail Post Office to Addressee" Mailing Label  
37 CFR 1.10  
No. \_\_\_\_\_
- ☒ facsimile transmitted to the Patent and Trademark Office, 703 305-3719  
TRANSMISSION

  
Signature

Date: November 26, 2001

Erica L. Mann  
Type or print name of person certifying

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## IDENTIFICATION OF ASSIGNEE

2. Name of assignee: XACCT Technologies  
Type of assignee: Corporation

## PERSON AUTHORIZED TO SIGN

3. Name of person authorized to sign on behalf of assignee: Rick Van Hoesen  
Title of person authorized to sign: Vice President and Chief Financial Officer

I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

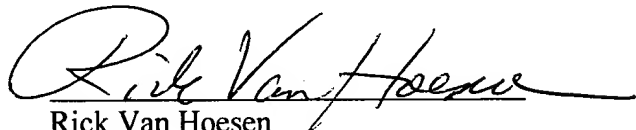
## BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

A.

1. An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at Reel 010788, Frame 0023.

11/15/01  
Date

  
Rick Van Hoesen  
Vice President and Chief Financial Officer  
XACCT Technologies

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: L. Schweitzer et al.

Application No.: 09/442,876

Filed: 11/18/1999

Group No.: 2155

Examiner: Wiley, D.

For: NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD

Commissioner for Patents  
Washington, D.C. 20231

DECLARATION UNDER 37 C.F.R. SECTION 1.48(A)(1)

1. My name is Limor Schweitzer. I reside at 2900 Lakeside Drive, Santa Clara, California 95054.
2. I am an inventor of the patent application entitled NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD, that was filed on November 18, 1999 under serial number 09/442,876.
3. I, the person signing below, hereby state that the error in omitting Tal Givoly as an inventor of the patent application of item 2 occurred by error, without deceptive intent.

16-Nov-2001

Date

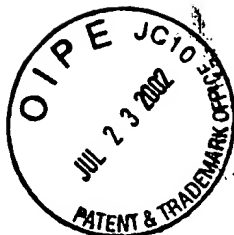
Limor Schweitzer

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Practitioner's Docket No. XACTP014

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of L. Schweitzer et al.  
Application No.: 09/442,876  
Filed: 11/18/1999  
For: NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD

Group No.: 2155  
Examiner: Wiley, D.

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Washington, D.C. 20231

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DECLARATION UNDER 37 C.F.R. SECTION 1.48(A)(1)

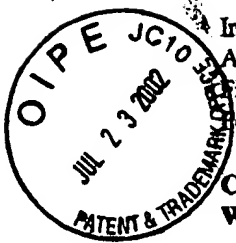
970 Terrace Dr., LOS ALTOS, CA, 94024

1. My name is Eran Wagner. I reside at ~~20677 Forge Way, Apt. 217, Cupertino, California 95014~~.
2. I am an inventor of the patent application entitled NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD, that was filed on November 18, 1999 under serial number 09/442,876.
3. I, the person signing below, hereby state that the error in omitting Tal Givoly as an inventor of the patent application of item 2 occurred by error, without deceptive intent.

11/21/01  
Date

Eran Wagner  
Eran Wagner

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: L. Schweitzer et al

Application No.: 09/442,876

Filed: 11/18/1999

For: NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD

Group No.: 2155

Examiner: Wiley, D.

Commissioner for Patents  
Washington, D.C. 20231

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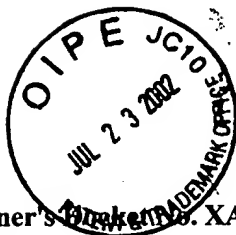
DECLARATION UNDER 37 C.F.R. SECTION 1.48(A)(1)

1. My name is Tal Givoly. I reside at 10141 Orange Avenue, Cupertino, California 95014.
2. I am an inventor of the patent application entitled NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD, that was filed on November 18, 1999 under serial number 09/442,876.
3. I, the person signing below, hereby state that the error in omitting myself as an inventor of the patent application of item 2 occurred by error, without deceptive intent.

11/15/01  
Date

Tal Givoly  
Tal Givoly





Practitioner's ~~Block~~ XACTP014

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: L. Schweitzer et al.

Application No.: 09/442,876

Group No.: 2155

Filed: 11/18/1999

Examiner: Wiley, D.

For: NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD

Commissioner for Patents  
Washington, D.C. 20231

ASSENT OF ASSIGNEE TO CORRECTION  
AND/OR ADDITION OF INVENTOR(S)

Name of Assignee:

XACCT Technologies

Address of Assignee:

2900 Lakeside Drive, Suite 100  
Santa Clara, CA 95054

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Technology Center 2100

Assignment was recorded on May 12, 2000 at, Reel 010788 and Frame 0023.  
A copy of the Recorded Assignment is attached.

RIGHT OF ASSIGNEE TO TAKE ACTION

A STATEMENT UNDER 37 C.F.R. section 3.73(b) is attached.

Rick Van Hoesen  
Vice President and Chief Financial Officer  
XACCT Technologies

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

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FACSIMILE



transmitted by facsimile to the Patent and Trademark Office. (703) 305-3719

Signature

Date:

11/26/2001

Erica L. Mann

(type or print name of person certifying)

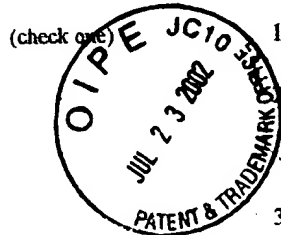
# DECLARATION FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. XACTP014

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:  
NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD, the specification of which,



1. ☐ is attached hereto.

☒ was filed on November 18, 1999 as  
U.S. Application Serial No. 09/442,876  
and was amended on September 19, 2001

3. ☐ was filed on \_\_\_\_\_ as  
International PCT Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_

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I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

PCT/US98/24963  
(Appl. No.)

PCT  
(Country)

11/20/1998  
(Filing Date)

Priority Benefits Claimed?

☒ Yes ☐ No

\_\_\_\_\_  
(Appl. No.)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐ Yes ☐ No

\_\_\_\_\_  
(Appl. No.)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

60/066,898  
(Application Serial No.)

11/20/1997  
(Filing Date)

60/109,095  
(Application Serial No.)

11/19/1998  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Prior U.S. Application(s)**

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
-----------------------------------	------------------------	--


_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
-----------------------------------	------------------------	--

**Send Correspondence To:**                      **Silicon Valley IP Group**  
   **P.O. BOX 721120**  
   **San Jose, California 95172-1120**

**Direct Telephone Calls To:**                      **Kevin Zilka at telephone number (408) 971-2573**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of  
Sole or First Inventor: Limor Schweitzer                      Citizenship: Israel

Inventor's signature:                       Date of Signature: 16-Nov-2001

Residence: (City) Santa Clara                      (State/Country) CA /USA

Post Office Address: 2900 Lakeside Drive, Santa Clara, California 95054

Typewritten Full Name of  
Joint or Second Inventor: Eran Wagner                      Citizenship: US

Inventor's signature: \_\_\_\_\_                      Date of Signature: \_\_\_\_\_

Residence: (City) Cupertino                      (State/Country) CA /USA

Post Office Address: 20677 Forge Way, Apt. 217, Cupertino, California 95014

Typewritten Full Name of  
Joint or third Inventor: Tal Givoly                      Citizenship: Israel

Inventor's signature: \_\_\_\_\_                      Date of Signature: \_\_\_\_\_

Residence: (City) Cupertino                      (State/Country) CA /USA

Post Office Address: 10141 Orange Avenue, Cupertino, California 95014

# DECLARATION FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. XACTP014

As a below-named inventor, I hereby declare that:

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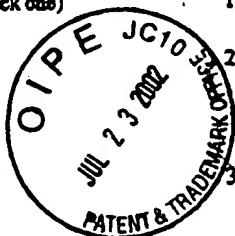
I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:  
**NETWORK ACCOUNTING AND BILLING SYSTEM AND METHOD**, the specification of which,

(check one)

1. ☐ is attached hereto.

2. ☒ was filed on November 18, 1999 as  
U.S. Application Serial No. 09/442,876  
and was amended on September 19, 2001

3. ☐ was filed on \_\_\_\_\_ as  
International PCT Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_



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## Prior Foreign Application(s)

PCT/US98/24963  
(Appl. No.)

PCT  
(Country)

11/20/1998  
(Filing Date)

## Priority Benefits Claimed?

☒ Yes ☐ No

\_\_\_\_\_  
(Appl. No.)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐ Yes ☐ No

\_\_\_\_\_  
(Appl. No.)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below

60/066,898  
(Application Serial No.)

11/20/1997  
(Filing Date)

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(Application Serial No.)

11/19/1998  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Prior U.S. Application(s)**

(Application Serial No.) (Filing Date) (Status - patented, pending, abandoned)


(Application Serial No.) (Filing Date) (Status - patented, pending, abandoned)

**Send Correspondence To:** **Silicon Valley IP Group**  
**P.O. BOX 721120**  
**San Jose, California 95172-1120**

**Direct Telephone Calls To:** **Kevin Zilka at telephone number (408) 971-2573**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Typewritten Full Name of Sole or First Inventor:** Limor Schweitzer **Citizenship:** Israel  
**Inventor's signature:** \_\_\_\_\_ **Date of Signature:** \_\_\_\_\_  
**Residence: (City)** Santa Clara **(State/Country)** CA /USA  
**Post Office Address:** 2900 Lakeside Drive, Santa Clara, California 95054

**Typewritten Full Name of Joint or Second Inventor:** Eran Wagner **Citizenship:** US  
**Inventor's signature:**  **Date of Signature:** 11/21/01  
**Residence: (City)** Cupertino, LOS-ALTOS **(State/Country)** CA /USA  
970 Terrace Dr., LOS-ALTOS, CA, 94024  
**Post Office Address:** 20677 Forge Way, Apt. 217, Cupertino, California 95014

**Typewritten Full Name of Joint or third Inventor:** Tal Givoly **Citizenship:** Israel  
**Inventor's signature:** \_\_\_\_\_ **Date of Signature:** \_\_\_\_\_  
**Residence: (City)** Cupertino **(State/Country)** CA /USA  
**Post Office Address:** 10141 Orange Avenue, Cupertino, California 95014

# DECLARATION FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. XACTP014

As a below-named inventor, I hereby declare that:

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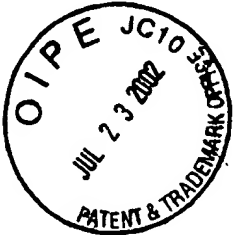
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and was amended on September 19, 2001

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PCT/US98/24963  
(Appl. No.)

PCT  
(Country)

11/20/1998  
(Filing Date)

Priority Benefits Claimed?

☒ Yes ☐ No

\_\_\_\_\_  
(Appl. No.)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐ Yes ☐ No

\_\_\_\_\_  
(Appl. No.)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐ Yes ☐ No

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(Application Serial No.)

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(Filing Date)

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Prior U.S. Application(s)

(Application Serial No.) (Filing Date) (Status - patented, pending, abandoned)

(Application Serial No.) (Filing Date) (Status - patented, pending, abandoned)

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P.O. BOX 721120  
San Jose, California 95172-1120

Direct Telephone Calls To:

Kevin Zilka at telephone number (408) 971-2573

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of  
Sole or First Inventor:

Limor Schweitzer

Citizenship: Israel

Inventor's signature:

Date of Signature:

Residence: (City)

Santa Clara

(State/Country) CA /USA

Post Office Address:

2900 Lakeside Drive, Santa Clara, California 95054

Typewritten Full Name of  
Joint or Second Inventor:

Eran Wagner

Citizenship: US

Inventor's signature:

Date of Signature:

Residence: (City)

Cupertino

(State/Country) CA /USA

Post Office Address:

20677 Forge Way, Apt. 217, Cupertino, California 95014

Typewritten Full Name of  
Joint or third Inventor:

Tal Givoly

Citizenship: Israel

Inventor's signature:

Date of Signature:

Residence: (City)

Cupertino

(State/Country) CA /USA

Post Office Address:

10141 Orange Avenue, Cupertino, California 95014